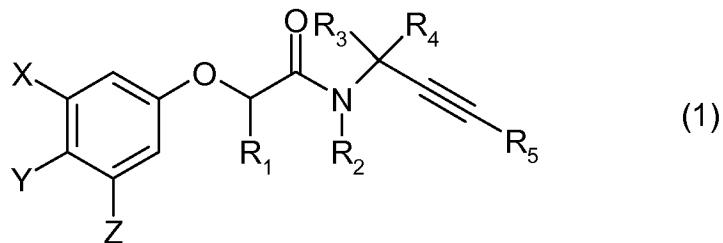


AMENDMENTS TO THE CLAIMS

Claim 1. (Currently Amended): A compound of the ~~general~~ formula (1):



wherein

X, Y and Z are independently H, halogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₂₋₄ alkenyl, halo(C₂₋₄)alkenyl, C₂₋₄ alkynyl, halo(C₂₋₄)alkynyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, -S(O)_n(C₁₋₄)alkyl where n is 0, 1 or 2 and the alkyl group is optionally substituted with fluoro, -OSO₂(C₁₋₄)alkyl where the alkyl group is optionally substituted with fluoro, cyano, nitro, C₁₋₄ alkoxy carbonyl, -CONR'R", -COR', -NR'COR" or -NR'COOR"" where R' and R" are independently H or C₁₋₄ alkyl and R"" is C₁₋₄ alkyl, provided that at least one of X and Z is other than H;

R₁ is alkoxyalkyl, alkylthioalkyl, alkylsulphinylalkyl or alkylsulphonylalkyl in which the total number of carbon atoms is 2 or 3;

R₂ is H, C₁₋₄ alkyl, C₁₋₄ alkoxy methyl or benzyloxymethyl in which the phenyl ring of the benzyl moiety is optionally substituted with C₁₋₄ alkoxy; R₃ and R₄ are independently H, C₁₋₃ alkyl, C₂₋₃ alkenyl or C₂₋₃ alkynyl provided that both are not H and that when both are other than H their combined total of carbon atoms does not exceed 4, or

R₃ and R₄ join with the carbon atom to which they are attached to form a 3 or 4 membered carbocyclic ring optionally containing one O, S or N atom and optionally substituted with halo or C₁₋₄ alkyl; and

R₅ is H, C₁₋₄ alkyl or C₃₋₆ cycloalkyl in which the alkyl or cycloalkyl group is optionally substituted with halo, hydroxy, C₁₋₆ alkoxy, cyano, C₁₋₄ alkylcarbonyloxy, aminocarbonyloxy, mono- or di(C₁₋₄)alkylaminocarbonyloxy, -S(O)_n(C₁₋₆)alkyl where n is 0, 1 or 2, triazolyl, tri(C₁₋₄)alkylsilyloxy, optionally substituted phenoxy, optionally substituted thienyloxy, optionally substituted benzyloxy or optionally substituted thienylmethoxy, or

R₅ is optionally substituted phenyl, optionally substituted thienyl or optionally substituted benzyl, in which the optionally substituted phenyl and thienyl rings of the R₅ values are optionally substituted with one, two or three substituents selected from halo, hydroxy, mercapto, C₁₋₄ alkyl, C₂₋₄ alkenyl, C₂₋₄ alkynyl, C₁₋₄ alkoxy, C₂₋₄ alkenyloxy, C₂₋₄ alkynyloxy, halo(C₁₋₄)alkyl, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, halo(C₁₋₄)alkylthio, hydroxy(C₁₋₄)alkyl, C₁₋₄ alkoxy(C₁₋₄)alkyl, C₃₋₆ cycloalkyl, C₃₋₆ cyclo-

alkyl(C₁₋₄)alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR^mRⁿ, -NHCOR^m, -NHCONR^mRⁿ, -CONR^mRⁿ, -SO₂R^m, -OSO₂R^m, -COR^m, -CR^m=NRⁿ or -N=CR^mRⁿ, in which R^m and Rⁿ are independently hydrogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C₁₋₄ alkyl or C₁₋₄ alkoxy.

Claim 2. (Original): A compound according to claim 1 wherein X, Y and Z are all chloro or methyl, or X and Z are both chloro or bromo and Y is H or methyl, or X and Z are both methyl or methoxy and Y is H, chloro, bromo or alkylthio, or X is methoxy, Y is H and Z is cyano or chloro, or X is methyl, Y is H and Z is ethyl, or X is chloro, bromo or trifluoromethyl and both Y and Z are H.

Claim 3. (Previously Presented): A compound according to claim 1 wherein R₁ is methoxymethyl, methylthiomethyl, ethoxymethyl, 2-methoxyethyl, 2-methylthioethyl.

Claim 4. (Previously Presented): A compound according to claim 1 wherein R₁ is methoxymethyl.

Claim 5. (Previously Presented): A compound according to claim 1 wherein R₂ is H.

Claim 6. (Previously Presented): A compound according to claim 1 wherein both R₃ and R₄ are methyl.

Claim 7. (Previously Presented): A compound according to claim 1 wherein R₅ is H, methyl, hydroxymethyl, methoxymethyl, 1-methoxyethyl, *tert*-butyldimethylsiloxyethyl, 3-cyanopropyl, 3-methoxypropyl, 3-(1,2,4-triazol-1-yl)propyl, 3-methylthiopropyl, 3-methanesulphinylpropyl or 3-methanesulphonylpropyl.

Claim 8. (Original): A compound according to claim 1 wherein X, Y and Z are independently H, halogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₂₋₄ alkenyl, halo(C₂₋₄)alkenyl, C₂₋₄ alkynyl, halo(C₂₋₄)alkynyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, -S(O)_n(C₁₋₄)alkyl where n is 0, 1 or 2 and the alkyl group is optionally substituted with fluoro, -OSO₂(C₁₋₄)alkyl where the alkyl group is optionally substituted with fluoro, cyano, nitro, C₁₋₄ alkoxy carbonyl, -CONR'R", -COR' or -NR'COR" where R' and R" are independently H or C₁₋₄ alkyl, provided that at least one of X and Z is other than H;
R₁ is alkoxyalkyl, alkylthioalkyl, alkylsulphinylalkyl or alkylsulphonylalkyl in which the total number of carbon atoms is 2 or 3;

R_2 is H, C_{1-4} alkyl, C_{1-4} alkoxy methyl or benzyloxy methyl in which the phenyl ring of the benzyl moiety is optionally substituted with C_{1-4} alkoxy;

R_3 and R_4 are independently H, C_{1-3} alkyl, C_{2-3} alkenyl or C_{2-3} alkynyl provided that both are not H and that when both are other than H their combined total of carbon atoms does not exceed 4, or R_3 and R_4 join with the carbon atom to which they are attached to form a 3 or 4 membered carbocyclic ring optionally containing one O, S or N atom and optionally substituted with halo or C_{1-4} alkyl; and

R_5 is H, C_{1-4} alkyl or C_{3-6} cycloalkyl in which the alkyl or cycloalkyl group is optionally substituted with halo, hydroxy, C_{1-6} alkoxy, C_{1-6} alkylthio, cyano, C_{1-4} alkylcarbonyloxy, aminocarbonyloxy or mono- or di(C_{1-4})alkylaminocarbonyloxy, tri(C_{1-4})alkylsilyloxy, optionally substituted phenoxy, optionally substituted thienyloxy, optionally substituted benzyloxy or optionally substituted thienylmethoxy, or

R_5 is optionally substituted phenyl, optionally substituted thienyl or optionally substituted benzyl, in which the optionally substituted phenyl and thienyl rings of the R_5 values are optionally substituted with one, two or three substituents selected from halo, hydroxy, mercapto, C_{1-4} alkyl, C_{2-4} alkenyl, C_{2-4} alkynyl, C_{1-4} alkoxy, C_{2-4} alkenyloxy, C_{2-4} alkynyloxy, halo(C_{1-4})alkyl, halo(C_{1-4})alkoxy, C_{1-4} alkylthio, halo(C_{1-4})alkylthio, hydroxy(C_{1-4})alkyl, C_{1-4} alkoxy(C_{1-4})alkyl, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, $-NR^mR^n$, $-NHCOR^m$, $-NHCONR^mR^n$, $-CONR^mR^n$, $-SO_2R^m$, $-OSO_2R^m$, $-COR^m$, $-CR^m=NR^n$ or $-N=CR^mR^n$, in which R^m and R^n are independently hydrogen, C_{1-4} alkyl, halo(C_{1-4})alkyl, C_{1-4} alkoxy, halo(C_{1-4})alkoxy, C_{1-4} alkylthio, C_{3-6} cycloalkyl, C_{3-6} cycloalkyl(C_{1-4})alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C_{1-4} alkyl or C_{1-4} alkoxy.

Claim 9. (Original): A compound according to claim 1 wherein X, Y and Z are all chloro or methyl, or X and Z are both chloro or bromo and Y is H or methyl, or X and Z are both methyl or methoxy and Y is H, chloro, bromo or alkylthio, or X is methoxy, Y is H and Z is cyano or chloro, or X is methyl, Y is H and Z is ethyl, or X is chloro, bromo or trifluoromethyl and both Y and Z are H; R_1 is methoxymethyl, methylthiomethyl, ethoxymethyl, 2-methoxyethyl or 2-methythioethyl; R_2 is H; R_3 and R_4 are both methyl; and R_5 is H, methyl, hydroxymethyl, methoxymethyl, 1-methoxyethyl, *tert*-butyldimethylsiloxy methyl, 3-cyanopropyl, 3-methoxypropyl, 3-(1,2,4-triazol-1-yl)propyl, 3-methylthiopropyl, 3-methanesulphinylpropyl or 3-methanesulphonylpropyl.

Claim 10. (Currently Amended): A process for preparing a compound of the ~~general~~ formula (1) according to claim 1 as herein described.

Claim 11. (Currently Amended): A fungicidal composition comprising a fungicidally effective amount of a compound of the ~~general~~ formula (1) according to claim 1 and a suitable carrier or diluent therefor.

Claim 12. (Currently Amended): A method of combating or controlling phytopathogenic fungi which comprises applying a fungicidally effective amount of a compound of the ~~general~~ formula (1) according to claim 1 ~~or~~ to a plant, to a seed of a plant, to the locus of the plant or seed or to soil or any other plant growth medium.